

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JENNIFER VERA GUTIERREZ,
Plaintiff,
v.
PACIFIC GAS AND ELECTRIC
COMPANY, et al.,
Defendants.

Case No. [3:18-cv-02849-WHO](#)

**ORDER TO SHOW CAUSE RE:
DISMISSAL FOR FAILURE TO
PROSECUTE**

Re: Dkt. Nos. 45, 46

On July 18, 2018, I denied plaintiff Jennifer Gutierrez’s motion for a temporary restraining order and dismissed her complaint with leave to amend. Dkt. No. 41. I explained that she needed to file an amended complaint within 20 days, and in that amended complaint she needed to “articulate[] and organize[] the facts that she alleges are support for each cause of action, so that the Court can determine whether they state plausible claims or whether they are barred because of the CPUC’s exclusive authority to regulate utilities.” As of the date of this Order, plaintiff has not filed an amended complaint.

On September 26, 2018, defendant Pacific Gas and Electric Company filed a motion to dismiss this case for failure to comply with the court’s order requiring her to file an amended complaint. Dkt. Nos. 45, 46. The motion to dismiss is set to be heard on November 7, 2018.

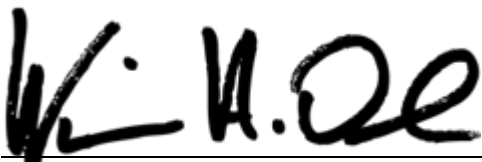
Plaintiff is ORDERED TO SHOW CAUSE why this case should not be dismissed for failure to prosecute. Plaintiff must respond to this Order by filing her amended complaint on or before **October 29, 2018**. If plaintiff does not file an amended complaint by that date, this case will be dismissed for failure to prosecute. *See* FED. R. CIV. PROC. 41(b); *Henderson v. Duncan*, 779 F.2d 1421, 1423 (9th Cir. 1986) (listing factors relevant to whether to dismiss for lack of prosecution).

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The November 7, 2018 hearing, the November 6, 2018 case management conference, and all associated deadlines are hereby VACATED.

IT IS SO ORDERED.

Dated: October 16, 2018

A handwritten signature in black ink, appearing to read "W. H. Orrick", written over a horizontal line.

William H. Orrick
United States District Judge